

**STATEWIDE PEF/NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL
CONSERVATION LABOR/MANAGEMENT COMMITTEE REPORT**

March 13, 2003

Attendance:

PEF:

David Persson, LM Chair
Karl Berger, Albany LM Co-Chair
Chris Spies, Region 1
George Stadnik, Region 2
Leslie Eggleton, Region 5
Terry Tyoe, Region 6
Steve Perrigo, Region 7
James Kersten, Region 9
Mike Keenan, Albany
Dylan Keenan, Albany
Wayne Bayer, Albany
Holly Clark, Albany
William Wurster, Albany
James Trossbach, Albany
John Donlon, Albany
M. Geoffrey Brown, Albany
Mike Kanuk, Albany, SUNY East
Jim Kemenash, PEF Field Representative
Josephine Rice, PEF
Steve Connolly, PEF

Management:

Joseph Lattanzio, DEC Director of Employee Relations
Carole LaVigna, DEC Director of Personnel
Everett Chamberlain, DEC Chief, Transportation Services Bureau
Jean Edouard, DEC Director of Health & Safety
Nancy Lussier, DEC Budget Services Unit
Gail Balluff, DEC Employee Relations
Carl Gonzalez, DEC Employee Relations
Marie Furlong, DEC Employee Relations
Dale Desnoyers, DEC Director of Environmental Remediation (Guest)

PEF's questions and statements are in bold faced type.

Management's responses are in italics.

I. New Business:

1. Budget

- a. In fiscal year 2003-2004, how will DEC reduce the workforce by 234 positions? How will DEC maximize continued employment and utilization of existing staff and enforce environmental laws, rules and regulations with 419 fewer positions fewer positions than approved in the 2002-03 budget?**

Management's response: The reduction in DEC's workforce will be accomplished through the retirement incentive program. Through reorganization and restructuring and the backfill of critical items, the Department will be able to continue its environmental mission.

- b. Please clarify the reported \$125 million in new EPF funds that will be used to support DEC programs and staff. The Executive budget indicates that \$4.89 million would be used for staff essential to EPF programs at DEC(40), Agriculture & Markets(37), and Parks & Recreation(1). Are the 40 DEC positions in Real Property?**

Management's response: The 40 positions being proposed for DEC are filled positions from the Division of Lands & Forests. They are positions associated with land management.

- c. How will DEC ever be able to investigate, remediate and close the presently open ended spill cases, much less address the new ones with the reduction in spill program positions?**

If staff resources are going to be devoted to institutional controls investigation, monitoring and oversight how many spills will not be investigated, remediated and adequately checked for cost recovery?

Management's response: The Department has historically relied on a process of screening and prioritization in determining what level of attention and resources should be applied to the approximately 15,000 spills reported each year. The screening and prioritization has been done using the potential threat to first public health and second the environment. The Division of Environmental Remediation has continued this process in recent years and will continue to do so. In doing so, the Division's resources will be applied efficiently and in situations where the public and the environment are significantly threatened.

Further, the recent staff losses in the former spill program will be mitigated by a wider use of other DER professional staff which had previously been limited in its use on petroleum events and sites. By managing contaminated sites in this holistic manner, our existing resources will be able to be more far reaching to all types of sites.

- d. Currently the Division of Fish, Wildlife and Marine Resources has 58 vacancies and an additional 73 people will leave with the ERI, how many of these items will be lost and how many will the Division be able to backfill in 2003-2004?**

Management's response: The Division of Fish, Wildlife and Marine Resources expects to have 51 (not 73) people participate in the Retirement Incentive programs. Along with the other programs and regions of the Department, the Division is currently preparing a staffing plan that would provide for backfilling the most critical vacancies, including some previously existing and some created by the retirement incentive.

- e. What are DEC's Contingency Austerity Plan steps and immediate options for delayed spending?**

Management's response: The Department is currently operating with very limited amounts of

emergency authorization for State Operations. There is no authorization for new Capital contracting, only for Capital liabilities against contracts approved prior to April 1, 2003.

What is the impact, if any, of the proposed legislation that would increase the Environmental Facility Corp.'s bond cap?

The Executive Budget proposes increasing the EFC's bond cap for environmental infrastructure projects from \$135 million to \$277 million and authorize proceeds from these bonds to support \$128 million in DEC programs (\$10 million for Onondaga Lake Cleanup, \$11 million for DEC Capital projects, \$43 million for projects supported by the EPF, and \$64 million for the identification, classification, investigation, and remediation of hazardous waste disposal sites). Can or will any of these funds be used to support personal service expenses or PS&T titles or are the funds used for EFC jobs? What critical backfills will DEC request?

Management's response: Management is not able to respond at this time.

- f. Is the projected date for the Region 4 move still April 2004? Has management engaged in meaningful discussions for PS&T unit members in the context of a Joint Labor/ Management Quality of Worklife Committee, which shall make recommendations to the Regional Director? In this regard, Andy Marcuccio should be the PEF steward contacted.**

Management's response: No updated information is available at this time. The projected date for the Region 4 move remains scheduled for April 2004. When appropriate, the regional director has agreed to the formation of a group to share ideas and involve employees in the process.

- g.(1) What is the status of the additional 28,000 square feet at the New Paltz office? Did Stein White Nelligan incorporate DEC Project Managers/Engineers comments and recommendations in the Schematic Design Report and is the schedule to award construction projects still Summer 2003?**

Management's response: Comments on the initial Stein White Nelligan Preliminary/Schematic Report are being incorporated into the project design development phase, which is well underway. The approved, revised design schedule will allow for a summer 2003 award of construction contracts.

- g.(2) Does management continue meaningful discussions for PS&T unit members in the context of a Joint Labor/Management Quality of Worklife Committee?**

Management's response: As stated previously, a meeting was held in mid-November between the Regional Director and representatives of Region 3 labor, including Keith Browne. The Regional Director reviewed the current status of this project, and various design issues were discussed. Since this meeting, an updated conceptual design document was posted. A subsequent meeting was held on January 16, 2003. The Regional Director will continue to solicit comments/suggestions from all staff and will continue these meetings as appropriate.

- h. Will all the individual Waivers of Overtime Compensation Rules for employees who worked 9/11 overtime after the December 31, 2001 be approved? PEF provided the names of the employees not paid.**

Management's response: The waiver to cover payment expired on December 31, 2001. Due to an oversight, one employee was found to be due funds. Payment was processed on 12/9/02. Although the Division raised the question, the other three employees were not approved for waiver requests for the period after the blanket waiver expired.

- i. PEF requests copies of current Memoranda of Understanding with SUNY.**

Management's response: It appears that there are approximately 23 such MOUs that may be

currently active. We are reviewing the MOUs. We will make them available at the earliest possible date.

j. How many new vehicles are budgeted for 2003-2004? Where will they go by program and Region?

Management's response: The Department's budget for SFY 2003-04 is requesting funding for 226 vehicles. This is an increase of 25 over the current fiscal year. Approval of our request is unknown at this time. The breakout of how these will be distributed will be determined once the budget has been approved and the approved purchase numbers are known. However, it is anticipated that 80 will go to Law Enforcement with the remaining being distributed between the various Regions and Programs.

k. What contractor reviews MGP cleanup work plans?

Management's response: None. MGP work plan reviews are presently handled by a combination of DEC monitors funded by the utilities and State funded staff.

l. How many PS&T positions are contingent on legislation, fee increases and reauthorizations?

Management's response: True for all.

2. Civil Service

a. How many budgeted items of the Annual Salary Average Fill Level are not filled?

Management's response: The filled position analysis for payroll #23 reflected 3,598 filled positions.

b. What changes are proposed to the Department's Organization and Function Book?

Management's response: The publication is out of print, and there are no immediate plans to update it.

c.(1) Did Civil Service approve Job Classification Standards with professional titles of Chemist, Engineering Geologist, Environmental Engineer, and Environmental Program Specialist? How will promotion exams test knowledge, skills, and abilities to assess the competence of people to be chosen for those titles?

Management's response: Personnel has not received the final version of the job classification standards from Civil Service. The appropriate exams to test candidates for particular titles are determined by Civil Service.

PEF appreciates the opportunity to comment on the DEC drafts.

c.(2) Does DEC anticipate new classification standards for Biologists and Environmental Analysts?

Management's response: Yes, drafts are now being prepared for submission to Civil Service.

d. Is DEC planning any title consolidations?

Management's response: No.

e. How many new waiver requests will DEC send to DOB?

Management's response: It is too early to know. The Executive Budget has not yet been passed.

- f.(1) Did the Division of Fish, Wildlife, and Marine Resources submit fiscal impact forms for the request that Civil Service increase hiring rate for Biologist 1 and Biologist 2 (all parentheses) for appointments in Regions 1 and 2?**

Management's response: No.

- f.(2) Is there a schedule for submission to Civil Service?**

Management's response: No.

- g. When will management meet with PEF/encon in a L/M subcommittee to support salary grade parity between the career ladders of the Natural Resources and Quality divisions?**

Management's response: We continue to disagree with PEF's opinion that a formal L/M subcommittee is necessary. However, Personnel is agreeable to meeting with PEF regarding salary grade parity. Update: This meeting has been scheduled for June 26, 2003.

- h. How can a SG-14 Bacteriologist (Marine) advance to the SG-23 Associate Bacteriologist (Marine) without a SG-18 Senior Bacteriologist (Marine) position as an intermediate step in the career ladder ?**

Management's response: The current incumbent of the SG-14 position has only been permanent since 9/25/02. We reclassified the SG-18 Senior position to the SG-23 Associate level on 6/19/02 and appointed her with a non-competitive promotion exam under Section 52.7 of the CSL on 7/16/02. Therefore, we now have a gap between SG-14 and SG-23. It may be appropriate to have a SG-18 position.

3. Health & Safety

Specific updates and actions on all outstanding H&S agenda items are itemized within the Statewide Health & Safety Labor/Management Committee meeting minutes which are available on the OER website and through the respective union representatives.

Who will receive Incident Command training? Where will DEC set up a location for an incident command center? What is DEC's Health & Safety role and how will employees be safeguarded? When will management provide PEF with a copy of the Emergency Response Plan?

Management's response: The Department expects to initially designate approximately 100 employees to receive this training. By incident command center we assume you are actually referring to the Emergency Operations Center. DEC's Health & Safety staff are currently involved with issues related to the standardization of Personal Protective Equipment (PPE) within the DEC. The Emergency Response Plan remains in draft form. When the plan is finalized, it will be shared with PEF.

Health and Safety has a memorandum of Understanding with SUNY for the Hazwoper 8 hour refresher course to address the training needs of field employees involved in hazardous waste operations. Curriculum 1 is for DER investigators, and other employees involved in remedial activities, curriculum 2 for Spills responders, and curriculum 3 for SHM & DAR employees, monitors and other field inspectors. Is curriculum 3 training available as awareness training for DOW employees?

Management's response: The 8 hour refresher curricula are largely devoted to the elements of OSHA standard 1910.120 (Hazardous Waste Operations and Emergency Response). As DOW employees do not participate in such response activities, nor by law are they required to take these types of courses, we believe it would not be a good use of time or money for DOW employees to attend. The Health and Safety Office is

however available to work with programs to develop training presentations that would be specific to the needs of DOW employees.

What are the proposed terms of a GOER/Unions MOU for the placement of AEDs in state agency buildings?

Management's response: These matters are currently in discussion at the GOER level. We have had no update since our meeting with them on January 13, 2003.

***MANAGEMENT UPDATE: World Trade Center Medical Monitoring Task Force**

As of March 5, 2003, 536 PEF members were identified and solicited for participation in the World Trade Center medical monitoring effort. 247 employees responded that they would participate.

4. Privatization and Organizational Development

DEC's Training Office should address a potentially dysfunctional organization due to brain drain, rather than aiding & abetting the out sourcing of DEC work to contractors. Not only is this counter productive to the interest of DEC's workforce, it is economically more costly and inefficient to achieve DEC's goals & legal mandates to protect & preserve the environment.

Their site <http://internal/home/dmb/training/orgdev/index.htm> has the following quote:

"We (Operations) have been struggling with many management and training issues as the Division undergoes the transformation from a "hands on" maintenance organization to a mix of contracting as well as in house work. You have helped us make this difficult transition successful for both the staff and supervisors.

Contracting out can lead to dependence on a single contractor that gains a monopoly on a service. For the public, privatization means less quality, less access and less accountability.

Is it not true that Operations will only be able to allocate 60% of the 2002-2003 man days due to lack of staff from not backfilling and retirements?

Management's response: Our Training & Development Office takes strong exception that it in any way aided or abetted (a term generally associated with felonious activity) any outsourcing of DEC work to contractors. They further responded that to define their work in this manner is patently offensive. The work cited in PEF's allegation occurred at least 3-4 years ago, and the Training & Development Office is no longer working on this project. Training & Development has been a consistent advocate for the employees of DEC. They are currently working with a number of divisions to assist in the organizational restructuring and knowledge transfer necessitated by the early retirements.

The last question/statement is not true. As with most other DEC programs, the Division of Operations must make adjustments in its method of delivering services, due to the State's budget crisis and the hiring freeze. While it is true that the amount of time that our own construction force account and Central Office design staff has available to work on Departmental projects, beyond those mandated for health, safety, code or environmental compliance, is limited, we feel that we are still able to provide the necessary level of service to assist all programs in meeting the Department's mission. To meet this demand, we are utilizing OGS and occasionally outside consultants for design services on larger projects and utilizing Job Order Contracting to complete construction projects, especially in areas where the funding source prevents its use for personal services (e.g., EPF/Bond Act).

PEF requests that the quote be removed from the website.

5. Environmental Monitors

Organization & Delegation Memorandum #92-10 discussed under what circumstances Environmental Monitors can and will be required. One circumstance where monitors WILL be required is described in Section IV of the above referenced O&D Memo. This is: "Municipal (solid waste) landfills which, due to their size or other circumstances of concern, justify the presence of an Environmental Monitor." Towpath (Landfill) Environmental & Recycling Center, DEC No. 8-3420-00019/00005 has a design capacity of 1800 tons per day and a location on the banks of the Erie Canal, adjacent to a Class 2 inactive hazardous waste disposal site.

Has the Department changed/eliminated O&D Memo 92-10? Please provide PEF with the most up to date policy regarding Environmental Monitors. Does management intend to displace existing Environmental Monitor staff to implement this policy? If so, is there any plan to secure other funding for existing staff? PEF will be offering a position paper on this issue and will request it be made a part of the record (minutes). PEF believes it is a substantive change in a rule and a full public hearing should be held.

Management's response: The Department is developing a policy document to be used in place of the dated O&D Memo 92-10. On February 27, Management sent a note via e-mail to each individual monitor stating the reason for the change in policy and process and the fact that this change would have no affect on any DEC employee's current status. This note was also distributed to PEF representatives and to those supervisors who supervise monitor staff. As stated therein, Management has no intention of eliminating any existing Environmental Monitor staff in the implementation of the new policy. Management agreed to attach a position paper to the minutes.

In what program and under what funding source are environmental monitors currently funded? How many environmental monitor FTEs were funded last year and how many are funded this year?

Management's response: Monitors are budgeted under the Solid & Hazardous Materials program, Special Revenue-Other accounts. There were 78.25 filled monitor positions in March 2002 and 77.05 fills as of March 2003.

Has DEC asked for budget waivers to fill environmental monitor positions? According to the hiring freeze budget bulletin, DEC needs to get DOB to approve the hiring of contractual employees as well as regular State employees. Has DOB given DEC the waiver to hire contractual employees and not State employees?

Management's response: PEF is periodically provided with copies of approved waivers. That practice is still followed so you will see any waivers that are approved. In cases where a permit condition or consent order requires monitoring services performed by contractors, the monitored facility would hire the contractor with appropriate approval and oversight by DEC. The contractors would not be funded through DEC appropriations.

II. Old Business

1. Boards and Commissions

When will the Office of Legislative Affairs provide a complete membership list for all Department boards and commissions, and a list of all Department personnel approved to represent the Department on all non-Department appointed boards, commissions, or other similar panels. Such lists should include names, addresses, and expiration terms of members.

Management's response: The Department currently retains only an internal working list of this information, which we believe may be incomplete, not current and inappropriate for distribution. Management acknowledged PEF's verbal FOIL request made at the last meeting. The request was forwarded

to the Department FOIL Officer on 10/28/02 for response. PEF (Dave Persson) was notified by the DEC FOIL Officer via letter of 11/04/02 that the request was received and is currently being processed. Division and Regional Directors have also been asked to provide any appropriate updates to this report. When this effort is completed, the FOIL request will be honored.

2. 625 Broadway

The DEC Albany office needs convenient and easily operable means of entry into and exit from 625 Broadway, as well as full accessibility to rest rooms, mail rooms, nurse's office and training rooms for the physically disabled through out the building.

Management's response: Accessibility for the physically disabled has been an ongoing local Central Office Health & Safety Committee issue. We believe this issue is currently being addressed appropriately at that level; and, therefore, not appropriate for discussion at the Statewide level.

3. Pre-Tax Transportation Pilot Program

Will GOER offer TransitChek to NYSDEC employees in the five boroughs of NYC?

www.transitcenter.com

PEF/encon requests that the Commissioner immediately request TransitChek for DEC employees in NYC since transportation costs have increased by one-third. PEF asks that the pilot issue be tabled until end of DOL, OSC, & SIF pilot (April 2004)

Management's response: No, not at this time. Management agrees to table this issue.

4. Employee Time and Attendance Handbook

PEF believes it is incumbent upon DEC to provide timely and accurate information to its employees. Various sections of DEC's Employee Time and Attendance Handbook have been superseded by later documents such as the Fair Labor Standards Act, PEF Contract, Office of State Comptroller (OSC) Bulletin # G-180, OSC Travel Manual (10/98) & OSC Traveler's Guide (10/98). For example, Section 5.1.6 conflicts with federal and state laws and regulations concerning time worked and should be corrected to read as follows: "Time spent by employees for actual travel and/or service performed while traveling is compensable work time provided that the travel is between the employee's residence and a work site other than their official station." PEF/Encon provided errata concerning other discrepancies to management at the November 29, 2001 Labor Management meeting. When will Management and Budget distribute a revised edition of the Employee Time and Attendance Handbook, which has not been updated since January 3, 1994? PEF requests a one month review of the draft.

Management's response: The draft is still being finalized to ensure all pertinent collective bargaining Agreements, Comptroller rules and Civil Service Laws are incorporated. The handbook itself will not be distributed in hard copy. It will reside on Management & Budget's website.

5. Failure to Provide Travel Advances

Will Fiscal Bulletin 354 TA Advance Quick Pay Method be used for travel advances more than fourteen days prior to travel commencement? DEC should not deny travel advances to corporate card holders for meals.

Management's response: Fiscal Bulletin 354 will be updated shortly. Due to OSC criticism, DEC is no longer using Quick Pay for travel advances. We were processing too many refunds due to canceled trips and advances made in excess of the actual trip requirements. OSC guidelines do not allow advances for corporate card holders. However, it should be noted that the cards may be used for meals.

6. What efforts are in place to avoid delay in reimbursed travel under the Conservation and Federal

Aid program?

Management's response: The travel unit is now regularly monitoring payments being held back due to lack of funds. Travel vouchers so identified will be brought to the attention of the affected program to decide if an alternate funding source is available.

7. Contracting Out Computer Services

What are the actual itemized listing of expenditures by vendor for SFY 2002-03, budget costs, and purpose of contracted out computer support for SFY 2003-2004? Is the Help Desk to be privatized and if so why?

Management's response: The SFY 2002-03 information is not available until after 6/30/03.

8. PEF requests an update on DECALS and WorldCom contractual responsibilities and contract amendment.

Management's response: To date DECALS has sold \$34.5 million worth of licenses to 890,000 customers. This includes about \$1.7 million in agent commission. This total does not count licenses sold before DECALS was implemented Statewide on August 26. For the past two years, \$5 million dollars worth of licenses were sold by July 31. In comparison, as of January 31, 2002, license sales totaled \$30.9 million.

WorldCom has 12 of 17 DECALS applications in place and operational and is correcting remaining defects. The remaining 5 DECALS applications will be completed by mid-2003. Major ones include the internet sales application, the ad hoc query application and the sportsman education application.

By Executive decision last year, regional offices outside of Region 1 will not sell licenses. All regional offices (law enforcement staff) currently have access to customer information in the database in order to check the status of licenses. All regional offices will also have ad hoc query capability by mid-year in order to make more detailed queries of the DECALS database, such as names and addresses of specific audiences for mailings.

Tax and Finance is no longer handling the Harvest Reporting System. It was switched 100% to WorldCom on November 25. The IVR system started at Tax and Finance on October 15 when the early archery season opened. On 11/7, 25% of calls were switched to WorldCom, on 11/12, 50% of calls were switched to WorldCom and on 11/13, 100% of calls were switched to WorldCom to test data load and decide on the split for 11/18, opening day of the Southern Zone regular big game season. For opening week, calls were split 60% Tax and 40% WorldCom. Calls were less than expected and were switched 100% to WorldCom on 11/25. The bill from Tax and Finance is not known yet.

The contract with WorldCom has not been amended to date, but an amendment will be developed shortly. When the contract amendment has been approved by OSC, it will be shared with PEF.

9. Intranet/Internet

PEF's improper practice charge alleged that EnCon violated the Taylor Law when it unilaterally issued an Internet Acceptable Use policy in October, 1997. Will a revised policy be issued by the Governor's Office for Technology on personal use of the internet?

Management's response: A pre-hearing meeting was held at the Public Employment Relations Board (PERB) on March 11, 2003. After a brief discussion among the parties, the hearing officer granted an additional 60 day extension. We still have not received any notice from the Governor's Office for Technology on the issuance of a policy addressing personal use of State Internet services.

10. Labor/Management Training

The Professional Development Committee first approved the Department of Environmental Conservation's Workforce Initiative Program application in 1998 and reapproved in 2001. DEC, Regional Directors, Division Directors, and Executive Staff and all stewards would benefit from the proposed training.

Management's response: We also believe this would be beneficial. However, the State's current financial condition(s) will make this impossible. We are currently unable to dedicate any funding towards this effort.

11. Scheduling of L/M Meetings

The next Labor/Management meeting is June 11, 2003. PEF requests that Commissioner Crotty attend. A Commissioner last attended a meeting June 15, 1995.

Management's response: An invitation will be extended to Commissioner Crotty to attend the next scheduled meeting.

12. Pollution and Energy Reduction Committee (PERC)

Has the Executive approved the nine (9) out of ten (10) days compressed work schedule as a permanent offering in the Central Office and has the Office of Employee Relations transmitted a request to the Department of Civil Service for formal approval of the program in the DEC Central Office. PEF is discouraged that the telecommuting expansion has stagnated since last October.

Management's response: No to both questions. The PERC Committee has submitted its CPP report and recommendations to Executive on January 30, 2003.

Regions 1, 2 and 3 should be offered the same benefits as Central Office personnel to reduce ozone pollution and especially since transportation costs have increased by one-third. PEF requests that the CPP and telecommuting programs be offered downstate without delay.

Management's response: Management is not prepared to extend these programs to the New York City Metropolitan Area at this time.

13. Laboratory Consolidation

Will DEC build the \$25 M three bay light duty Automotive Emissions Laboratory (AEL) with funding from the Clean Water/Clean Air Bond Act under NYSERDA?

Management's response: No new information to provide. SUNY East is no longer the designated site for this laboratory. It was determined that the available (SUNY East) land was unsuitable for this purpose. The Department is now in the process of determining whether or not to build this laboratory somewhere else. If a determination is made to build on an alternate site, the Department will work with OGS toward this end.

14. Acting Positions

Albany Air

Is the EE4 Director of the Bureau of Technical Support in Air filled?

Management's response: No. Update: Due to a recent consolidation of the Division's organization, this bureau no longer exists.

Is the G31 Director of Air Research filled?

Management's response: Yes. We expect the eligible list to be established at which time a permanent appointment will be made. Update: A permanent appointment was made on 3/28/03.

Water

Is the Director of the Bureau of Watershed Assessment and Research filled?

Management's response: No. Update: This Bureau is being restructured, as are the other bureaus in the Division of Water. The program is currently undecided about which title would be most appropriate: Environmental Engineer 4 or Environmental Program Specialist 4.

Is the Compliance Assurance Section Chief filled?

Management's response: No. Update: A permanent appointment was made on 4/22/03.

Is the Groundwater Quality Section Chief filled?

Management's response: No. Update: This is no longer a staffed section. An Engineering Geologist 2 is the "point of contact" only.

DER

Is the Division Director filled?

Management's response: Yes, effective 12/18/02.

Is the Investigation Support Section Chief, Bureau of Construction Services filled?

Is the Bureau of Construction Services Director filled?

Is the Eastern Field Services Section Chief filled?

Is the Federal Project Section Chief filled?

Is the Central Remedial C Section Chief filled?

Is the Western Remedial C Section Chief filled?

Is the Eastern Remedial B Section Chief filled?

Is the Eastern Remedial Voluntary Cleanup Program Coordinator filled?

Management's response: No to all of the above questions. Update: The Division is now interviewing candidates for the first seven (7) positions listed above. The last position, however, is a specific responsibility assigned to an Environmental Engineer 2 and not a separate position.

Solid & Hazardous Materials

Is the Pesticide Compliance Section Chief filled?

Management's response: No. Update: A permanent appointment was made 4/17/03.

Is the Pesticide Reporting Section Chief filled?

Management's response: No.

REGION 1 Regional Spills Engineer position filled?

Management's response: No.

Regional Real Properties Manager position filled?

Management's response: No. Update: The region is interviewing candidates.

REGION 2 Is the SG-31 Section Chief in Air Unit filled?

Management's response: No. Update: The region is interviewing candidates.

Is the SG-31 Regional Solid & Hazardous Materials Engineer filled?

Management's response: No.

Is the Regional Hazardous Materials Engineer (G-27) position filled?

Management's response: No.

REGION 3 Regional Water Engineer position filled?

Management's response: No.

REGION 4 Has Region 4 identified a funding source for the Supervisor of Natural Resources position, Item No. 09403, exemption request?

Management's response: No. Update: A permanent appointment was made 4/24/03.

REGION 6 Regional Fisheries Manager position filled?

Management's response: No. Update: The eligible list is now being canvassed and interviews are being scheduled.

REGION 7 Is the Natural Resource Supervisor position filled?

Management's response: No. Update: The eligible list is being canvassed.

Is the Regional Fisheries Manager position filled?

Management's response: No. Update: The eligible list is being canvassed and interviews are being scheduled.

REGION 8 Will the EE2 vacated by the new Regional DER Engineer be backfilled?

Management's response: No. Work has been reassigned to remaining staff.

PEF requests that waivers be submitted for these positions and that they in fact be filled.

Management's response: So noted.

David J. Persson

DATE

June 9., 2003